

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

U.S. DISTRICT COURT
MAY -3 PM 4:03
NANCY M.
MAYER-WHITTINGTON
CLERK

IN RE VITAMIN ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

Misc. No. 99-197 (TFH)

[Referred to Special Master
Pollak]

FILED

MAY 07 2002

STIPULATION

NANCY MAYER-WHITTINGTON, CLERK
U.S. DISTRICT COURT

The undersigned parties, and the Government of Canada, hereby stipulate and agree as follows:

1. Plaintiffs and Defendant Bioproducts Incorporated ("Bioproducts") do not oppose the Government of Canada's appearance as an *amicus curiae* for the limited purpose of presenting its views with respect to Plaintiffs' Joint Motion to Compel Bioproducts to Produce its Governmental Submissions;
2. Plaintiffs and Bioproducts do not oppose the filing of an *amicus curiae* brief by the Government of Canada, or the participation at oral argument by the Government of Canada at any hearing set by the Court or the Special Master with respect to the Motion referred to in paragraph one above. The Government of Canada agrees to a stay of its Motion to Intervene, filed with the Court on April 25, 2002, provided that the Court or Special Master permits participation by the Government of Canada as *amicus curiae*. Pending the Court's or Special Master's determination of whether to

allow the Government of Canada to participate as *amicus curiae*, Plaintiffs shall not be obligated to respond to Canada's Motion to Intervene. If the Court or Special Master permits the Government of Canada to participate as *amicus curiae*, the Government of Canada will voluntarily withdraw its Motion to Intervene;

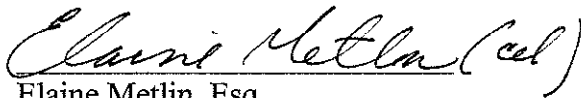
3. The Government of Canada agrees to execute the Acknowledgment of Protective Order, attached to the Court's November 3, 1999 Protective Order, pursuant to which the Government of Canada agrees to be bound by the provisions of the Protective Order. Bioproducts agrees to permit the Government of Canada to review Bioproducts' confidential information which is referred to or included in Plaintiffs' motion to compel, Bioproducts' Opposition, and/or Plaintiffs' reply brief. Plaintiffs agree to permit the Government of Canada to review Plaintiffs' confidential information, if any, which is referred to or included in Plaintiffs' motion to compel, Bioproducts. Opposition, and/or Plaintiffs' reply brief. Neither Plaintiffs nor Bioproducts can or does agree to permit the Government of Canada to review any other parties' confidential information, if any, which is referred to or included in Plaintiffs' motion to compel, Bioproducts' Opposition, and/or Plaintiffs' reply brief; and

4. By entering into this Stipulation, Plaintiffs do not in any way concede that the Government of Canada's Motion to Intervene was filed in a timely fashion or that the Government of Canada has any legitimate interest in the discovery matters at issue in Plaintiffs' Joint Motion to Compel Bioproducts to Produce its Governmental Submissions;

It is so Stipulated.

Dated: May 3, 2002

Respectfully submitted,



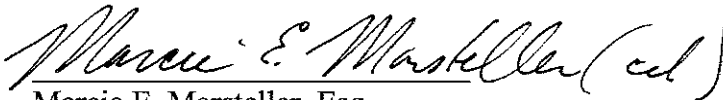
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*Counsel for Defendant
Bioproducts Incorporated*

SO ORDERED, this 6 day of May, 2002.



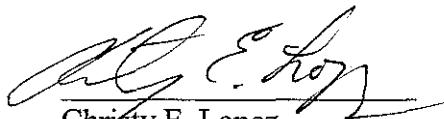
Thomas F. Hogan
United States District Court Judge

CERTIFICATE OF SERVICE

I, Christy E. Lopez, hereby certify that on this 3rd day of May 2002, a true and correct copy of the foregoing Stipulation was served via facsimile, first-class mail, and electronic mail upon the following as representatives of Plaintiffs and Defendants and request that it be forwarded to Verilaw for electronic service upon all counsel of record.

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